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Attorneys for Defendants

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

MIRSAD HAJRO, JAMES R. MAYOCK,

Plaintiffs,

v.

UNITED STATES CITIZENSHIP AND  
IMMIGRATION SERVICES;  
T. DIANE CEJKA, Director,  
USCIS National Records Center;  
ROSEMARY MELVILLE, USCIS District  
Director of San Francisco;  
MICHAEL CHERTOFF, Secretary,  
Department of Homeland Security;  
MICHAEL B. MUKASEY, Attorney General  
Department of Justice,

Defendants.

No. C 08-1350 PVT

**FIFTH STIPULATION TO EXTEND  
DATES; and ~~PROPOSED~~ ORDER**

Plaintiffs, by and through their attorney of record, and Defendants, by and through their attorneys of record, hereby stipulate, subject to the approval of the Court, to the following:

1. Plaintiffs filed this action on or about March 10, 2008. The Defendants filed their response to Plaintiffs' amended complaint on June 23, 2008.

2. On January 23, 2009, the parties, with the support and encouragement of the mediator, asked this Court to vacate the February 10, 2009 hearing date on Defendants' Motion to Dismiss, and to hold this matter in abeyance for 60 days. That request was granted.

Stipulation to Reset Dates  
C08-1350 PVT

4. The mediation is ongoing and the parties are, at minimum, trying to streamline the issues.

5. The parties respectfully ask for an additional 60 days in order to resolve this matter without further litigation or in order to streamline the issues before the Court.

6. The parties also request that all trial dates be vacated at this time as it is likely that any remaining issues can be resolved through cross-motions for summary judgment.

Dated: May 22, 2009

Respectfully submitted,

JOSEPH P. RUSSONIELLO  
United States Attorney

/s/  
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ILA C. DEISS<sup>1</sup>  
Assistant United States Attorney  
Attorneys for Defendants

Dated: May 22, 2009

/s/  
\_\_\_\_\_  
KIP EVAN STEINBERG  
Attorney for Plaintiffs

### ORDER

Pursuant to stipulation, IT IS SO ORDERED. On or before July 23, 2009, the parties will either file a stipulated dismissal or request other appropriate relief. The pre-trial conference set for June 2, 2009, and the trial date set for June 15, 2009, are hereby ~~vacated~~ CONTINUED to August 4, 2009 and August 17, 2009, respectively.

Date: 5/22/09

  
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PATRICIA V. TRUMBULL  
United States Magistrate Judge

<sup>1</sup>I, Ila Deiss, hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/s/) within this e-filed document.